

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RODNEY C. MOORE,

Plaintiff,

v.

DANE COUNTY CLERK OF COURTS,
DANE COUNTY COURTHOUSE,
HONORABLE JUDGE STEVEN EBERT
and ERIC OCELOTT MONTES (Clerk),

Defendants.

ORDER

09-cv-361-slc¹

RODNEY C. MOORE,

Plaintiff,

v.

GRETCHEN HAYWARD, STATE OF WISCONSIN,
DANE COUNTY, CITY OF MADISON and
DANE COUNTY COURTHOUSE,

Defendants.

ORDER

09-cv-363-slc

¹ I am assuming jurisdiction over these cases for the purpose of issuing this order.

RODNEY C. MOORE,

Plaintiff,

v.

MARK BENNETT, STATE OF WISCONSIN,
COLUMBIA COUNTY COURTHOUSE,
JANE KOHLWAY, MARK LAWTON
and CITY OF PORTAGE,

Defendants.

ORDER

09-cv-364-slc

On July 20, 2009, I issued three separate orders dismissing each of the above-captioned cases because plaintiff Rodney Moore failed to state a claim upon which relief can be granted. In each case he brought claims regarding criminal proceedings that are barred under Heck v. Humphrey, 512 U.S. 477 (1994), and Preiser v. Rodriguez, 411 U.S. 475 (1973). Judgment was entered in each case. On November 2, 2009, plaintiff filed a motion to voluntarily dismiss all three cases. The motion is dated June 30, 2009. He explains that he tried to send it to the court in July and August 2009 but was “denied.”

Plaintiff’s explanation is very difficult to believe, particularly because the dockets in plaintiff’s numerous cases before this court show that he was able to file other papers in July and August 2009, including other motions in these cases in which he clearly indicates his desire to continue litigating them rather than having them dismissed. Accordingly, plaintiff’s

motion to voluntarily withdraw these cases is DENIED. As Magistrate Judge Crocker's June 18, 2009 order in these cases explains, plaintiff owes the \$350 filing fee in each case.

Entered this 6th day of January, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge